PF

19[illegible]

Department of Revenue

OFFICE [illegible]

STATION Madras

Mis. No. 1404

Dated 1-4-35

Pages in the file of 26
up 4

(SUBJECT.)

Mines - Manganese - (Bellary) - Hospet Tq - Sankalapuram village - Ownership - Instructions [illegible]

C F 32

Revenue DEPARTMENT

In reply, please quote number, date and short title.

Received ..... *Registered* 1

From (Name) F.W.Stewart Esq., C.I.E., I.C.S.,

(Designation) Collector,

Post Box ..... (Station) Bellary.

13 JUNE 34

Telegraphic Address .....

To The Secretary to the Commissioners,

Land Revenue and Settlement,

Madras.

Ref.C. *No.* 4493/35 A1 *Dated* 10th June 19 34.

Sir

Enclosures ..... (1)

Mining - Hospet Taluk No. 73 Sankalapuram (P)
Right of Proprietor Report submitted.
Board's Endt. Inam No. 355/34 dated 4.5.1934.

Spare Copies .....

Shrotriem Sankalapuram No. 73 of Hospet Taluk covered by the Title deed No.1973 was granted to Vidyaranya Bharati Swami for the support of the Pagoda of Koti Vinayakaswami at Hampi, so long as the Pagoda is well kept up. Inamdar Narasimha Rao of Hospet, who is the Agent of the Shrotriemdar, entered into a registered agreement with Gadigi Chennappa of Bellary on 1st February 1927 for the removal of Iron ~~management~~ manganese ores within the limits of the Shrotiem on certain conditions. Gadigi Chennappa has now put in an application to me asking for orders to the Tahsildar of Hospet and other local Officers not to obstruct him from removing iron ore.

2. According to the rules regarding mining and quarrying contained at page 47 of the Madras Mining Manual, no claim to minerals should be made on behalf of the state in the following cases of land.

(1) In estates held on Sanads of permanent settlement and

(2) In lands held on inam tenure where the original grant, either expressly or by necessary implication made a conveyance of state's rights to minerals, neither the applicant nor the agent of the Shrotriemdar had produced the original title deed and in its absence it is not possible

to know whether or not the state has any right to the minerals in the Shrotriem. The Inam Fair Register does not give any clue on the point. As the matter is not free from doubt I request orders whether the Proprietor has the right to minerals in the Shrotriem village and whether the permission applied for by Gadigi Chennappa to remove iron ore may be granted and if so, on what terms.

3. I have inspected with Chennappa and find that he expects to remove 30,000 to 40,000 tons of loose stone containing iron scattered over, the land of the village both unoccupied and occupied and that the cultivators of occupied lands have already collected some of the stones in heaps as a measure of improving the fields.

12/6/34

For Collector.

s.u.c/12.6

12/6

A.S (LT)

C.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	20/6/34	CRB
When examined..		
When signed ..		
When despatched.		

RECEIVED 20 JUN 1934

SUBJECT:— Mines - Manganese - (Bellary) - Hospet Tk - Sankalapuram re-ownership.

READ AGAIN ..... , dated Ms. C.F.B 19....

" " ..... " ..... 19....

READ ~~ALSO~~:—

No. K 1411 From the R ....., No. ....., dated ..... 19....

Ltr dt 20-6-34 " ..... " ..... " ..... " ..... 19....

20/8/34 " ..... " ..... " ..... " ..... 19....

Order / Resolution Ms. / Rout. No. K.1411-34, dated 19 . G . 1934

Issued 19.6.34

ER dt 31-8-34

3/9/34

The Coll is requested to obtain and submit the original title deed issued to the Shotriemdar also for reference + return + a copy of the registered agreement with a translation thereof entered into by the Shotriemdar with Sadiya Chamappa.

16/6 16.6.34 19.6.34

To the Coll of Bellary

C. E. 32-(a)

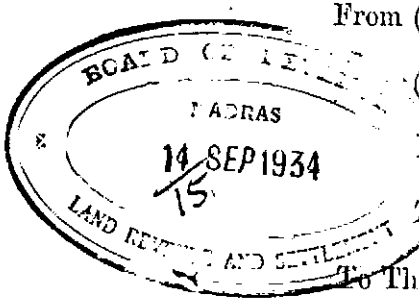
DEPARTMENT.

1411

K-2431

In reply, please quote number, date and short title.*

Received ..... *Registered* .....



From (Name) M.V. Subrahmanyam Esqr. I.C.S.,

(Designation) Ag. Collector of

Post Box....., (Station) Bellary.

Telegraphic Address.....

To The Secretary to the Commissioners
Land Revenue & Settlement,
Madras.

Ref. C.No. 1411/34, *dated* 11th September 1934

Sir A-1.

* Mines - Manganese &c. ores - Hospet Taluk - No.75 Shro:- Sankalapuram village - ownership.

Enclosures .....

.....

.....

Spare Copies.....

Board's Ref. K. No.1411/34 - 1 dated 19-6-34.

The original title deed is not available with the agent of the Shrotriemdar. A copy of the registered document with its translation is submitted herewith.

2. The Board's reminder is enclosed.

K.K.R.13-9-34.

For Collector.

Translation.

Non-Judicial Stamp paper of Rs.37-0-0.

Mining agreement lease executed by Narasinha Rao, Narayana Rao, Inamdar of Hospet, agent of Shrotriemdar Sree Jagadguru Athinavoddanda Satchitananda Sankarabharathi Guru Vidyaranya Bharathi Samsthanam, Hampi Virupaksha Peetam of 73 Shri: Sankalapura in favour of Gadigi Channappa son of Gadigi Gurucasappa, Lingayath, Merchant of Bellary on 1-2-1927 corresponding to Akshaya year, 14th day of dark fortnight of Pushya month.

With the consent of Jagadguru and on his behalf and with my own free will I confer on you subject to the foregoing conditions, all rights to remove Iron and Manganese ore in respect of the Schedule lands in this agreement. This agreement is for 19 years till 1-2-1946 and if you require the lands for any further period they will be given to you subject to the same conditions set forth herein. From the date of the commencement of the mining operations you must pay the land revenue on the area occupied by you. I will pay the land revenue on the remaining area. When the mining operations have ceased I will pay the Land revenue on the entire area. I estimate that you can remove 5000 tons of ore if you conduct the mining operations regularly. You must pay Royalty at 0-4-0 per every ton of ore removed. You must deposit Rs.500/- as soon as the mining operations are commenced and the amount will be adjusted towards Royalty due by you.

Registered as No. 47 of 1927 of Book 1 Vol. 310, pages 312 to 314 in the District Registrar's office, Bellary on 23-3-1927.

A-S(Sett)

C.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

DESPATCHED
25 SEP 1934

SUBJECT:—
Mines — Manganese — (Bellary) — Hospet Tq — Sandalapuram vge — Owners

C.F.B

READ AGAIN ....., dated ..... 19....

" " ..... " ..... 19....

READ ALSO:—

p5cp No. K.1431 From the Q ....., No. ....., dated ..... 19....

" ..... " ..... " ..... " ..... 19....

" ..... " ..... " ..... " ..... 19....

Order / Ms. / Resolution / Rout. No. K.1411-34-2, dated 24.9.1934.

I&I q 25.x 34

SR q 15.11.34

Issue
24.9.34

SR q 21-12-34

The Collr is requested to obtain and submit for original reference & return the sanad or any other document relating to the inam..

18/
20/9 20.9.34 21.9.34

To the Collr of Bellary.

Note.

It will be seen from the Colr's report at pp 1 & 2 cp that the inamdar has been enjoying the mineral rights in the inam. It

is reported that the original title deed issued to him by the I.C. is not available. Under rule 2(c) at p. 4) of the Mining Manual apart from the title deed issued by the I.C. the original grant shd, either expressly or by necessary implication, make a conveyance of the State's rights to minerals, so as to entitle the inamdar to the ownership of the minerals in the inam. As the inamdar has already leased the mineral rights in the inam for 19 years from 1927, it is better to decide the question after perusing the sanad granted to the inamdar by the original grantor, Hence it is proposed to call for it.

p5 c/f

p47 of the Mining Manual

p1 c/f

This is the address

Rt
2079 20.9.34

11

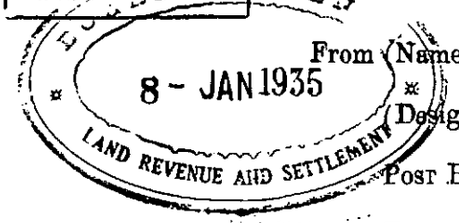
C.F. 82.

Revenue DEPARTMENT.

4411

In reply, please quote number, date and short title

Received ..... Registered 11 - 84



From (Name) The Hon'ble Mr.F.W.Stewart C.I.E.,I.C.S.,

(Designation) Collector,

Post Box ....., (Station) ~~Bellary.~~

Telegraphic Address .....

To The Secretary to the Commissioners

Land Revenue and Settlement, M a d r a s .

Ref.C. *No.* ~~4493/33A1~~ *dated* 5th January 19 35

Sir.

Enclosures .....

.....

.....

Spare Copies.....

Mines - Manganese - Hospet Taluk Sankalapuram Village "I" ownership
Board's Ref.K.1411-34-2 dated 24.9.34.

The original sannad is the same as the original title-deed which was reported to be not available with the agent of the Shrotriemdar in this Office Ref.C.4493/33 A-1 dated 11th September 1934. No other document relating to the Inam has been traced though a careful search was made.

2. The Board's reminder dated 21st December 1934 is resubmitted herewith.

5-1-35

For Collector.

s.u.c/5.1.A

5/1/35

F.S.
A.S. (Estt)

1-3

C.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

DESPATCHED
17 JAN 1935

SUBJECT:— Mines - Manganese - (Bellary) Hospet Tk - Sankalapuram Vg Ownership.

READ AGAIN _____, dated N.G 19____.

" " _____ " _____ 19____.

READ ALSO:—

bll cf No. K. 84 From the R _____, No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution / Ms. / Rout. No. K. 1411-34-3 dated 15 - 1 - 1935.

Reyce

I Gf 15.2.35.

15

Issue
15.1.35

bll cf

With reference to his letter read above the Collr is informed that the original sanad is quite different from the original title-deed. The former is the document of grant issued to the inamdar by the original (long prior to the Inam Settlement grantor) while the latter is one issued to the inamdar by the Inam Commissioner. The Collr is ~~none~~ requested to ascertain from the shrotriemdar whether he has the original sanad with him and if so, to submit it for reference and return.

2. The Collr is also

requested to enquire and
report whether the shastriandar
other
has got any documentary
evidence to prove his claim to
the mineral rights in the
village

181
10/1/35 11.1.35 12.1.35

J S
15.1.35

To the Coll of Bellary.

16/1/35

C.F. 22.

In reply, please quote number, date and short title.

.....DEPARTMENT.

1411

K(555)

Received..... *Registered*.....

From (Name)

(Designation)

Post Box....., (Station).....

Telegraphic Address.....

To The

Ref. No. ....., *dated* 27.2.35 19

Sir,

Enclosures.....

.....

.....

Spare Copies.....

28/2

28/2

Mines - Manganese - (Bellary
Hospet & - Sandur & Sandur
Ownership.

K. 555 Q

Ref K. 1411-34-4 q 5-3-35

The paper has been
pending for more than six m
The Officer is requested to expe
his reply to the Board's Ref K. 1411
dated 15-1-35.

To the Collector, Bellary.

C F 32

Revenue DEPARTMENT.

In reply, please quote number, date and short title.

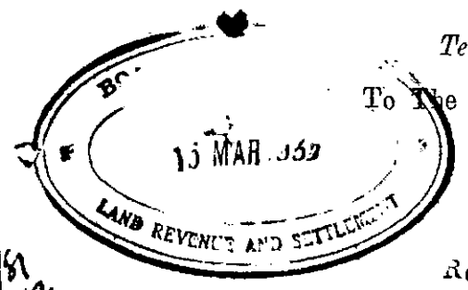
Received ..... Registered K.69 0

From (Name) T.Bhaskara Rao Esq., I.C.S.,

(Designation) Collector,

Post Box ..... (Station) Bellary.

Telegraphic Address .....



To The Secretary to the Commissioner,

Land Revenue & Settlement,

Madras.

Ref.C.*No.* 4493/33, *dated* 12th March 19 35

Sir

* Mines Manganese - Hospet Taluk - Sankalapuram village - ownership.

Enclosures ..... Board's Ref.K.No. 1411-34-3 dated 15.1.35 & 15.3.35.

Spare Copies .....

The agent of the Shrotriemdar says that the original sanad is not with the shrotriemdar and that he has not got any documentary evidence to prove his claim to the mineral rights in the village.

2. The statement of the agent of the Shrotriemdar is enclosed.

For Collector.

s.u.c/14.3.a.

Statement of Smt. Narasimhan
aged. to the Proprietor of Sree Vidyaranya
Sachidananda Sankara Bharati Swamiji
of 73rd Sri Sankaralaya Village.

[illegible] Smt. [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible]

Translation of the Kannada.

Statement of the agent to the inamdar at Pz: f.

The original sanad ~~granted~~ issued by the ancient Rajas to the matham of Sri Vidyaranya Sankara Bharati Swami in respect of the grant of the village of Sankalapuram as shotriyam is not with me. A search for it was made in the Matham but it was not forthcoming. I has personally gone to the headquarters of the Matham and made a search for it but in vain

Since eight or nine years ago I filed the title deed in the Collector's office in connection with the grant of the lease for mangaroo to Gadagi Chennappa. The T.D has not been returned to me yet.

We have no records to show that we Las inamdars possess mineral rights. This may be verified from the Inam Fair Register Heard my deposition read over to me and found correct.

(sd) Narasimha Rao
Inquiry Agent

Translated
28.3.35

DRAFT FOR APPROVAL. 15 C.F.16.

	Date.	Initials.
When received for fair copying ..		
When copied ..	8/4/35	C.K.K.
When examined ..		
When signed ..		
When despatched.		

SUBJECT:— Mines – Manganese – (Bellary) – Hospet Tk – Sankalapuram vge – Ownership – Instructions issued

READ AGAIN ____, dated N.G 19____.

" " ____ " ____ 19____.

READ ALSO:—

p1 cf No. K.1411 From the ____, No. ____, dated ____ 19____.
p3 cf Rejk.1411-34-1 of 15.6.35
p5 cf K.2431
p9 cf " Rejk.1411-34-2 of 26-6-35 " ____ " ____ 19____.
p11 cf K.84
p13 cf " Rejk.1411-34-3 of 15-1-35
p15 cf K.690 " ____ " ____ 19____.

~~Order~~ Resolution ~~Ms.~~ Rout. No. 1404 dated 6 - 4 - 1935.

p24 5 j: Issue Draft
Issued
6.4.35

Under Rule 2(c) of the mining Rules in Chapter V of the Madras Mining Manual no claim to minerals shd be made on behalf of Govt in lands held on inam tenure where apart from the title-deed issued by the Inam Comm^r the original grant, either expressly or by necessary implication, made a conveyance of the State's rights to minerals. The expression "midhi nikshepapashanam" should occur in the grants to prove the conveyance of the mineral rights to the grantees. In the case reported by the Coll the inamdar is not in possession of the original

p24 (B)

p19 cf

sanad or any other documentary evidence to prove his claim to the mineral rights in the village. In the absence of the original sanad the Board consider that it may be presumed that it contains no provision conveying the mineral rights in the inam to the inamdar & that such rights were reserved to Govt at the time of the grant of the inam. Besides, the inamdar is merely an assignee of revenue & the inam settlement did nothing more than confirm this assignment. The Board, therefore, consider that the mineral rights in this inam village belong to Govt. The application of Sadiq Cheemappa referred to in the Collr's letter first read above to remove iron ore should be dealt with under the rules in Chapter VI of the Mineral Manual.

18
2/44

5.4.35

5.4.35

To the Collr of Bellary

M2

J.S:

A:S(Scott)

(Box)

Note file.

Mines - Manganese - (Bellary) - Hospet-Tu - Sankalapuram ryt - Ownership.

Papers Spent ryt.

1) BSP. 157 Prem 4-5-18 — pp 1 - 2 cf

2) BP. 16 Prem 30-3-21 — p 3 cf

3) Pub. Mis 588 Confdl 9/6/28 — p 5 cf

4) Secl Inam 355/34 — 4-5-34 — p 9 cf

p 11 cf — K. 84/35

pp 13-14 cf — Rejk. 411-343 of 15-1-35

p 19 cf — K. 690/35.

To Asst Secy.

Please see the CCRs letter at pages 1 & 2 and 19 cf.

J.R at (M)

The village in question is a devasthanam inam. The question for decision is whether the Govt or the inamdar possess the mineral rights in it. Under rule 2 (c) of chapter V of the Mining Manual no claim to minerals should be made on behalf of Govt in lands held on inam tenure where apart from the title-deed issued by the G.C. the original grant either expressly or by necessary implication, made a conveyance of the State's rights to minerals. Under G.O. no mis 245 (confdl) Revt dt 10-2-28 the expression "Nidhi Nikshepa" should occur in the original sanad to prove the conveyance of the mineral rights to the grantees. In the present case the inamdar is not in possession of the original sanad. Nor

p 47 of the Mining Manual (B. no 37 in M2's Library)

Ref. G.O. Secl 588 confdl 16-2-28 — p 24 (B)

p 19 cf

has he any documentary evidence to prove his claim to the mineral rights in the village. In the absence of the original sanad, it may be presumed that ~~the recorder~~ he has no claim to the mineral rights in the village.

p194

Besides, under the Board's letter no 856 of 12-6-1918 the inamdar are merely assignees of revenue & the inam settlement did nothing more than confirm this assignment. Under the Privy Council's decision in appeal no 66 of 1919 also the mineral rights in an inam village vest in govt & not in the inamdar.

pp7-

In the circumstances the Collr may be informed that the mineral rights in this inam village belong to govt & the application of Sadoji Chennappa referred to in his letter to remove iron ore should be dealt with under the rules in chapter VI of the Mineral Manual.

pp11

22/5

J. S

Put in a translation of the Statement made by the Agent of the inamdar.

P.T.O

J.S.
A.S. (Sett)
(Box)

To A.S. (Sett).

Please see orders of J.S. on P2 Ref.
A translation of the ~~Kannada~~ Agmt's statement at P21 of. is submitted at P23 of.

29.3.85 29.3.85

J.S

Orders may be issued in the Memorandum

5/3

A.S. (Sett)
(Box.)

To Asst Secy

Draft submitted.

5.4.85 5.4.85